

PLANNING BOARD
Meeting Minutes
Tuesday,
December 3, 2013
Town Hall, 120 Main Street
7:00 PM

1 Present: J. Simons , M. Colantoni, D. Kellogg, L. Rudnicki, L. McSherry, R. Rowen

2 Absent:

3 Staff Present: J. Tymon, J. Enright

4
5 Meeting began at 7:00 pm.

6
7 **BOND RELEASES**

8 110 Sutton Street: Request for release of \$5,000 performance bond.

9 J. Tymon: There is a crushed stone area in the front of the building where landscaping was
10 planned. The stormwater management structures are installed and are working effectively.
11 Displayed pictures of the site.

12 Doug Mund, Architect: The cost of construction was double the original estimate for the
13 stormwater management infrastructure at the rear of the lot. The project had a fixed budget so
14 there was some significant value engineering for the building materials, finishes, and steel costs.
15 Very little money was left for landscaping. The building owners are requesting that the area
16 remain with crushed stone rather than landscaping.

17 BOARD: General discussion and a conclusion that the landscaping is preferable. The Town
18 Planner can review the original plan and modify the amount of plantings if appropriate; however,
19 the area requires some landscaping. The crushed stone can be left and the shrubs added to it.

20 **MOTION**

21 A motion was made by R. Rowen to release \$2,500 of the bond funds for 110 Sutton Street and
22 to hold the remaining \$2,500 plus accrued interest until a modified landscape plan is reviewed,
23 accepted, and the landscaping and entire site is completed. The applicant would then request the
24 remainder of the bond be released. The motion was seconded by M. Colantoni. The vote was
25 unanimous, 6-0 in favor.

26 1275 Turnpike Street, Brightview: Request for release of \$40,000 performance bond.

27 J. Tymon: Brightview is an assisted living complex. The Decision was approved in 2010,
28 construction is complete, and the facility is open for business. The construction process and the
29 communication went very well. There are a separate set of plans and monitor for the retaining
30 wall. A \$100,000 bond in place for the slope and wall will not be released for three years. A
31 structural engineer has submitted a letter stating that the wall has been constructed according to
32 the plan. The bond requested for release is a \$40,000 as-built performance bond. One area on
33 the lot is not completely vegetated. Matting is in place and there is not any erosion. A monitor
34 is still performing monthly site inspections. An abutter requested some additional landscaping to
35 be planted on his property to provide some screening. The applicant did plant several evergreens
36 on his property and the abutter has communicated that he is satisfied with the plantings.
37 Displayed pictures of the site.

38 J. Simons: Requested some additional landscaping in front of the retaining wall.

39 Paul Marchionda, Marchionda & Associates: The as-built plan has been completed and filed
40 with the Planning Department. The areas not vegetated yet were the last areas seeded because
41 they were used as staging areas. These areas will be re-seeded in the spring.

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42 J. Tymon: The \$100,000 slope stabilization bond is held for the slope construction and
43 associated retaining walls.

44 Board: The consensus of the Board was that the \$100,000 bond is intended to cover the non-
45 vegetated areas on the slope and the retaining wall; however, additional landscaping is needed to
46 soften the appearance of the wall.

47 P. Marchionda: Stated he will contact the applicant and request them to meet with the Town
48 Planner to come to an agreement on an additional landscaping plan for in front of the wall.

49 **MOTION**

50 A motion was made by D. Kellogg to release the \$40,000 performance bond plus accumulated
51 interest for 1275 Turnpike Street. The motion was seconded by R. Rowen. The vote was
52 unanimous, 6-0 in favor.

53
54 **PUBLIC HEARINGS**

55 120 Campion Road: Application for a Watershed Special Permit. Applicant proposes to tear
56 down existing two car garage (retaining the foundation) and construct a three car garage with
57 living space above. Additionally, a 6' x 13.33' roofed entryway will be added to the center of
58 the existing house. A small driveway expansion will occur to accommodate the third car bay.

59 J. Simons: Stated he missed the last meeting when this hearing was opened and will not vote on
60 this project.

61 J. Tymon: A revised plan has been received and all of L. Eggleston's comments have been
62 addressed.

63 Jack Sullivan, Sullivan Engineering Group: All requested revisions have been made. L.
64 Eggleston has reviewed the revisions and she is satisfied.

65 **MOTION**

66 A motion was made by M. Colantoni to close the public hearing for 120 Campion Road. The
67 motion was seconded by R. Rowen. The vote was unanimous, 6-0 in favor.

68 A draft Decision was reviewed.

69 **MOTION**

70 A motion was made by D. Kellogg to approve the Watershed Special Permit for 120 Campion
71 Road as amended. The motion was seconded by L. McSherry. The vote was unanimous, 5-0 in
72 favor. J. Simons did not vote.

73 **DISCUSSION**

74 80 Saile Way: Discussion of Watershed Special Permit.

75 J. Tymon: Reviewed special permits and plans approved in 1997 and 2004 for the construction
76 of the house and the pool. Since these special permits were issued additional plantings, lawn
77 area, and a walkway have been added beyond the approved limit of clearing. Some clearing of
78 underbrush and tree saplings has been done. There have been discussions with the Conservation
79 Department, Chair of the Conservation Commission, homeowner, and Town Planner and a site
80 visit has been completed. The walkway is constructed with stone pavers. The Conservation
81 Commission has jurisdiction within 25' of the lake. Most of the site is under jurisdiction of the
82 Planning Board. The Planning Board can decide how to address the violation of the Watershed
83 Special Permit. Displayed aerial photos of the property.

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84 Paul Russell, Homeowner 80 Saile Way: There has been some yard work done in the backyard.
85 The walkway is a pervious cobblestone. The stone dust shown in the picture does not exist
86 anymore. They area where the stone dust was has been loomed and seeded and lawn has grown.
87 The walkway was not professionally put down. No grading was done or construction equipment
88 brought on-site. The distance from the walkway to lake, other than where lawn has been planted,
89 is undisturbed, natural state other than the leaves have been raked up.

90 J. Tymon: The Conservation Commission has asked for native plantings within 25' of the lake.
91 Conservation feels there has been clearing of the underbrush down to the lake.

92 BOARD: General discussion around the length or the walkway, the remaining distance to the
93 lake, and jurisdiction distances for the Planning Board and Conservation Commission. The
94 Existing Site Plan was presented and reviewed with the Board. The suggestion of the Board was
95 to develop a plan to allow approximately 80' from the lake (which is not grass) to grow back to
96 its natural state and plant native plantings in the in the area from 80' to roughly 100' from the
97 lake. An application for a Watershed Special Permit or a modification to an existing special
98 permit should then be filed.

99 P. Russell: Requested that whatever is agreed upon as acceptable with Planning is also
100 acceptable with Conservation.

101 J. Simons: If the Conservation Commission wants you to plant native plantings in the first 25'
102 from the lake you have to have that discussion with them. Work with the Town Planner to
103 develop a plan and she can coordinate review of the plan with the Conservation Administrator.

104
105 North Parish Church: Requirements for Site Plan Review.

106 J. Simons: Stated he will have a discussion with the Attorney representing the applicant and that
107 he believes they can work something reasonable out.

108
109 **MEETING MINUTES:** Approval of November 19, 2013 meeting minutes.

110 **MOTION**

111 A motion was made by L. Rudnicki to approve the November 19, 2013 meeting minutes. The
112 motion was seconded by R. Rowen. The vote was unanimous, 5-0 in favor. J. Simons did not
113 vote.

114
115 **EXECUTIVE SESSION**

116 Executive Session meeting minutes review

117 **MOTION**

118 L. Rudnicki: I move that the Board go into Executive Session for confidential communications
119 to discuss Executive Session meeting minutes, not to return to open session.

120 M. Colantoni: Seconded the motion.

121 Roll Call: D. Kellogg voted to go into executive session and not return to regular session. R.
122 Rowen voted to go into executive session and not return to regular session. J. Simons voted to
123 go into executive session and not return to regular session. M. Colantoni voted to go into
124 executive session and not return to regular session. L. Rudnicki voted to go into executive

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session and not return to regular session, L. McSherry voted to go into executive session and not return to regular session. The vote was 6-0 in favor.

MEETING MATERIALS: Agenda, 110 Sutton Street: As-Built Plan of Land, 5 photos of site, 1275 Turnpike Street: Letter dated 12/3/13 from Clifford Carlson to J. Tymon re: Certification of Site Work Completion, 7 photos of site, Design Calculations for Universal Wall from Pro Con, Inc. Retaining Wall Plans prepared by Pro Con (6 pages), As-Built Plan prepared by Marchionda & Associates, L.P. email correspondence from R. Allen to bhd associates re: tree plantings dated 11/16/13, 120 Campion Road: Site Development Plan of Land revised date 11/26/13, draft Decision dated 12/3/2013, 80 Saile Way: Notice of Decision dated 12/19/97, Notice of Decision dated 3/24/04, 3 pictometry pictures, Enforcement Order Letter dated 7/19/13 from Jennifer Hughes to Paul and Shelly Russell, Existing Conditions Plan, North Parish Church: DD Progress Set Plan G-000 prepared by Torrey Architecture, Description of the Proposed Work and Construction Schedule, Draft meeting minutes 11/19/13.